UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

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WILLIAM CUTLIP, Case No. <u>15-cv-01345-BLF</u>

Plaintiff,

DEUTCHE BANK NATIONAL TRUST

COMPANY FOR THE HARBORVIEW MORTGAGE LOAN TRUST PASS-

Defendants.

THROUGH CERTIFICATES 2007-7, et al.,

v.

ORDER DECLINING TO RELATE

[Re: ECF 69]

CASES

On December 19, 2016, Magistrate Judge Nathanael Cousins issued a sua sponte judicial referral for the purpose of determining whether *Deutsche Bank Nat'l Trustee Co. v. Cutlip*, No. 16-cy-7148 is related to the above captioned case, Deutsche Bank Nat'l Trustee Co. v. Cutlip, No. 16-cv-4255, and Deutsche Bank Nat'l Trust Co. v. Cutlip, No. 16-cv-3612. ECF 69.

While the parties are the same in the aforementioned cases, Defendant did not attach a copy of the state court complaint to his notice of removal. See No. 16-cv-7184, ECF 1. Therefore, the Court is unable to determine whether it is "likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges," as required for a determination of related case status. Civ. L.R. 3-12(a)(2).

Accordingly, the Court DECLINES TO RELATE the cases WITHOUT PREJUDICE. IT IS SO ORDERED.

Dated: December 19, 2016

United States District Judge